REMARKS/ARGUMENTS

These remarks are submitted in response to the Office Action of June 19, 2006 (hereinafter Office Action). As this response is timely filed within the 3-month shortened statutory period, no fee is believed due. Nonetheless, the Examiner is expressly authorized to charge any deficiencies or credit any overpayment to Deposit Account No. 50-0951.

In the Office Action, each of Claims 1-18 was rejected on the basis of new grounds of rejection. Claims 1-18 were each rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Application Publication No. 2002/0076008 to Neary (hereinafter Neary).

Applicants have amended independent Claims 1, 7, and 13 to further emphasize certain aspects of the invention. Applicants also have cancelled dependent Claims 4, 10, and 16, and have amended dependent Claims 5 and 17 to maintain consistency among all the remaining claims. As discussed herein, the claim amendments are fully supported throughout the Specification. No new matter has been introduced through the claim amendments presented.

Applicants' Invention

At this juncture, it may be useful to reiterate certain aspects of Applicants' invention. One embodiment of the invention, typified by amended Claim 1, is a method of verifying software program operations during execution of a voice response system. The method can include establishing a voice link between a test system and the voice response system. The method further can include executing one or more operational software programs in the voice response system to determine a voice prompt to play over

the established voice link. When the voice prompt played over the established voice link is received by the test system, speech recognition can be performed at the test system to speech recognize the voice prompt and convert the voice prompt to text. (See, e.g., Specification, paragraph [0008], lines 1-4; paragraph [0016], lines 4-6; and paragraph [0021], lines 3-4.)

Additionally, the method can include gathering at the voice response system execution information associated with the one or more executing operational software programs. The method also can include sending the execution information to the test system over the established voice link. The execution information, more particularly, can be information pertaining to the execution of the one or more operational software programs that executes on the voice response system.

The Claims Define Over The Prior Art

Neary is directed to a method and apparatus for performing call-flow verification. With Neary, data input is supplied from an automated call generator (ACG) to an interactive voice response (IVR) system. (See, e.g., paragraph [0015], lines 1-11; see also, paragraph [0004], lines 3-6.) The data input simulates a "typical customer inquiry and data entry" to the IVR system. Neary teaches that the IVR system, in response to the received input, sends "prompt signals" that are the basis for evaluating the system's performance. Neary's prompt signals, more particularly, "include or exclude actual utterances whose content is represented by coded signals, as well as [indicate] how many characters of an utterance label are represented by the coded signals. (See paragraph [0020], lines 1-12; see also paragraphs [0030], lines 1-18.) (Emphasis Supplied.)

At page 4 of the Office Action, it is stated that Neary also teaches performing speech recognition so as to recognize voice prompts. In support of the assertion, FIG. 2 of Neary is cited. FIG. 2 in Neary illustrates the data input supplied to the IVR system

from the ACG, and the output generated by the IVR system in response thereto. (See also paragraph [0008], lines 1-2; and paragraph [0018], lines 1010-15.)

For Neary to have any relevance to Applicants' invention, it must be assumed that Neary's ACG corresponds generally to a test system, as recited in the claims, and that it interacts with a voice response system, which must be Neary's IVR system. FIG. 2 of Neary can be properly evaluated only by explicitly identifying the components in Neary that correspond to those recited in the claims. With this in mind, FIG. 2 fails to show that Neary's ACG performs any speech processing, as recited in amended Claims 1, 7, and 13.

The steps performed by Neary's ACG are those listed in the left-hand column in FIG. 2, titled "ACG Action." As indicated by the figure, before a test call, the ACG "reads a scenario," which ostensibly pertains to a particular call simulation. During the simulated call session, the ACG "outdials" a number. The ACG sends a succession of data strings ("TTs") to the IVR. The ACG also "speaks" an exemplary address, corresponding to a simulated customer. Once these actions are performed the ACG simulates when the customer "hangs up."

None of the acts performed at the ACG, however, involve in any way speech recognition. If Neary's signal prompts are viewed as being comparable to Applicants' voice prompts, then nothing about the acts performed by Neary's ACG indicates that voice prompts undergo speech recognition at the ACG. Nothing indicates that Neary converts voice prompts to text at the ACG.

The fact that Neary emphatically does not teach a test system that performs speech recognition is highlighted by various other portions of Neary. Neary describes in detail the composition and manner of generating the signal prompts provided to the ACG. An essential aspect of Neary's signal prompts is that they "encode" speech utterances. (See, e.g., paragraphs [0019], [0020] and [0030]-[0035].) It is these encoded signals that Neary sends to the ACG for evaluating the performance of the IVR system. Even if an actual

utterance is send, it is sent along with an encoded representation. (See paragraphs [0020], [0030], and [0031].) In some instances, the actual utterance is not even send. Applicants respectfully submit that if Neary even contemplated conveying speech directly to the ACG for speech recognition, then Neary's extensive encoding of the speech utterances would be entirely superfluous.

Accordingly Neary does not, either expressly or inherently, teach any aspect of performing speech recognition on voice prompts received by a test system. Neary does not teach that in verifying software program operations during execution of a voice response system, voice prompts received from the voice response system are to be converted to text by a process of speech recognition performed by a test system.

Applicants, therefore, respectfully submit that Neary fails to expressly or inherently teach every feature recited in amended independent Claims 1, 7, and 13 and that each of the claims thus defines over the prior art. Applicants further respectfully submit that whereas each of the remaining dependent claims depends from one of the amended claims while reciting additional features, the dependent claims likewise define over the prior art.

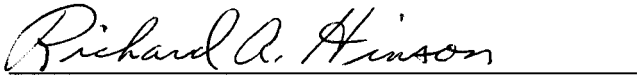
CONCLUSION

Applicants believe that this application is now in full condition for allowance, which action is respectfully requested. Applicants request that the Examiner call the undersigned if clarification is needed on any matter within this Amendment, or if the

Examiner believes a telephone interview would expedite the prosecution of the subject application to completion.

Respectfully submitted,

Date: **August 21, 2006**



Gregory A. Nelson, Registration No. 30,577
Richard A. Hinson, Registration No. 47,652
Marc A. Boillot, Registration No. 56,164
AKERMAN SENTERFITT
Customer No. 40987
Post Office Box 3188
West Palm Beach, FL 33402-3188
Telephone: (561) 653-5000